



Robert G. Morse  
Assistant General Counsel  
Federal Regulatory and Legal Affairs

1300 I Street, NW, Suite 500 East  
Washington, DC 20005  
Phone 202.515.2444  
Fax 202.289.6781  
[robert.morse@verizon.com](mailto:robert.morse@verizon.com)

September 30, 2016

## Ex Parte

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications, PS Docket No. 15-80; New Part 4 of the Commission's Rules Concerning Disruptions to Communications, ET Docket No. 04-35; The Proposed Extension of Part 4 of the Commission's Rules Regarding Outage Reporting to Interconnected Voice Over Internet Protocol Service Providers and Broadband Internet Service Providers, PS Docket No. 11-82**

Dear Ms. Dortch:

On September 28, 2016, Gregory Romano, Robert Morse, Andis Kalnins (via teleconference), Michael Kelly (via teleconference), Michael Hansen (via teleconference), and Chris Oberg (via teleconference) of Verizon met with the following staff of the Commission's Public Safety and Homeland Security Bureau: David Simpson, Rear Admiral (Ret.), USN, Bureau Chief; Theodore Marcus; Joseph Schlingbaum; Peter Stroyer; Megan Henry; and Steven McKinnon. The attendees discussed the broadband outage reporting rules proposed in this proceeding.

Verizon discussed potential alternatives to the Commission's proposed rules, as described in its comments.<sup>1</sup> New reporting thresholds are unnecessary because the Commission can gather relevant information for broadband outages by simply adding broadband-related questions to the "Services Affected" fields in NORS.<sup>2</sup> Outages of mobile broadband LTE networks already are reportable due to their impact on VoLTE services. Likewise, outages of wireline networks such as Verizon's Fios network will cause both VoIP and broadband outages and thus can be captured with minor modification of the existing NORS outage reporting format. And major facilities in today's networks that experience outages are no longer limited to voice traffic. So Verizon's proposal would enable the Commission to collect information about both the consumer impact and geographic scope of outages affecting broadband networks.

---

<sup>1</sup> See Comments of Verizon, PS Docket No. 15-80, at 3-7 (Aug. 26, 2016); Reply Comments of Verizon, PS Docket No. 15-80, at 2-3 (Sept. 12, 2016).

<sup>2</sup> See Federal Communications Commission, *Network Outage Reporting System, Glossary of Fields*, at 11 (Ver.1 July 25, 2016), [https://www.fcc.gov/pshs/docs/NORS/NORS\\_Glossaryv3.docx](https://www.fcc.gov/pshs/docs/NORS/NORS_Glossaryv3.docx).

Attendees also discussed the implications of the Commission's current rules and Verizon's alternatives for third party resale and over-the-top services. As a threshold matter, broadband providers often have no knowledge of or visibility into the third party VoIP and messaging services and applications that their broadband customers use. Even so, Verizon's approach would provide the Commission information on outages that affect users of those services. For example, some wireless resellers enable their customers to use an underlying facilities-based provider's LTE network or a third-party's Wi-Fi hotspots. So the underlying outages would be included in reports filed by the underlying facilities-based wireless provider or the wireline broadband provider serving the Wi-Fi hotspot. And for Verizon's wireline network, broadband and VoIP services share the same network architecture, so an outage that affects Verizon's own interconnected VoIP providers will also affect other providers' customers that use Verizon's broadband services.

If the Commission adopts new broadband requirements, reporting thresholds should mimic the existing subscriber- and capacity-based metrics and only apply to "hard down" outages. For mobile broadband services, for example, the Commission's recently adopted cell site-based 900,000 user minutes formula can be adapted to LTE sites also used for mobile broadband. A similar approach would work for the 900,000 wireline user minutes formula because broadband-only customers without a telephone number have a unique circuit number for identification purposes.

Verizon reiterated its concerns about any reporting metric based on throughput loss and similar performance-based metrics such as packet loss and jitter. Like packet loss, throughput loss may but does not always indicate a network failure. Congestion from capacity limitations can also prompt throughput loss. And cybersecurity-related incidents such as "DDOS" attacks that congest networks can prompt throughput loss even though they may not, in themselves, relate to any network failure. Consistent with its public safety responsibilities, the Commission's rules should remain focused on network failures with significant consumer and geographic impact, and avoid reporting metrics that measure service quality.

Finally, Verizon expressed its support for modifying the Commission's outage reporting regime from a three-part system (Notification, Initial Report, and Final Report) to a two-part system (Notification and Final Report) with a 240 minute period to submit the Notification. Allowing an additional two hours for the notification will enable service providers to include more relevant information in the Notification and obviate the need for the current Interim Report.

This letter is submitted in accordance with Section 1.1206(b) of the Commission's rules. Please contact the undersigned if there are questions concerning this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert A. Morse". The signature is fluid and cursive, with the first name "Robert" and last name "Morse" clearly distinguishable.